

**RULES AND REGULATIONS ADOPTED  
BY THE SECRETARY OF STATE  
PURSUANT TO TITLE 42, CHAPTER 46  
OF THE RHODE ISLAND GENERAL LAWS ENTITLED  
“ELECTRONIC FILING OF MEETING MINUTES AND NOTICES - OPEN  
MEETINGS ”**

**Rule 1. Purpose**

These rules and regulations are drafted to ensure that **Public Bodies** are in compliance with the changes made to Rhode Island General Laws 42-46-6 and 42-46-7 requiring electronic filing of meeting notices and meeting minutes. This change was made to create a centralized electronic location for the public to retrieve meeting information at both the state and local levels.

**Rule 2. Authority**

The **Secretary of State** has promulgated the within rules and regulations relating to open meetings pursuant to and in accordance with the provisions of the **Open Meetings Law**. Said rules and regulations are established pursuant to the **Open Meetings Law** and are available for public inspection online at [www.state.ri.us/cpi](http://www.state.ri.us/cpi) or at the Office of the Secretary of State, Civics and Public Information Division, State House, Room 38, Providence, Rhode Island, 02903.

**Rule 3. Application**

The terms and provisions of these rules and regulations shall be liberally construed to permit the **Secretary of State** to effectuate the purposes of state law, goals, and policies.

**Rule 4. Definitions**

For the purpose of these rules and regulations the following terms will be defined as:

1. **“Annual Notice”** means pursuant to Rhode Island General Law 42-46-6 the notice of regularly scheduled meetings filed annually with the **Secretary of State**.
2. **“Filer”** means the individual or individuals designated by a **Public Body** to be the person or persons responsible for filing meeting notices or meeting notices and minutes with the **Secretary of State**.
3. **“Filing Coordinator”** means the person assigned by the **Overseeing Body** to:
  1. Maintain an accurate list of all **Public Bodies** and public contact information.

2. Identify the individual **Filers** designated by each **Public Body**.
4. “**Open Meetings Law**” means Rhode Island General Law 42-46, as amended.
5. “**Overseeing Body**” means the agency, municipality or quasi-public corporation which includes all **Public Bodies** that fall under that particular agency, municipality or quasi-public corporation, (i.e. the City of Providence is the Overseeing Body for the Providence Zoning Board, the Department of Administration is the Overseeing Body for the Rhode Island Library Board). Please note that an **Overseeing Body** is a **Public Body** with regards to filing meetings minutes and notices and in some cases a **Public Body** may be an **Overseeing Body**.
6. “**Public Body**” As defined by Rhode Island General Law 42-46-2(c), this is generally any department, agency, commission, committee, board, council, bureau or authority or any subdivision thereof of state or municipal government, and includes all authorities defined in Rhode Island General Law 42-35-1(b). Any political party, organization, or unit thereof meeting or convening is not and should not be considered to be a public body, provided, however, that no such meeting is used to circumvent the requirements of Rhode Island General Law 42-46-6 and 7.
7. “**Public Contact Information**” is the information for a **Public Body** provided by the **Filing Coordinator** to the **Secretary of State** that allows the public to contact the **Public Body**. The contact person may or may not be the **Filer** for that **Public Body**.
8. “**Secretary of State**” means the Office of the Secretary of State.

#### **Rule 5A. Meeting notice requirements**

1. All **Public Bodies** must file meeting notices and minutes pursuant to the **Open Meetings Law**.
2. **a.** Pursuant to the **Open Meetings Law** all **Public Bodies** shall file an **Annual Notice** at the beginning of each calendar year with the **Secretary of State** electronically.  
**b.** Supplemental written public notices and all addenda and amendments must be filed with the **Secretary of State** electronically at least forty-eight (48) hours in advance of the meeting.  
**c.** If an emergency meeting is called, a meeting notice and agenda shall be filed with the **Secretary of State** as soon as practicable.

These filings shall include:

#### **3. Annual notice of regularly scheduled meetings**

For the purposes of these rules and regulations the following information is required in addition to the requirements of Rhode Island General Laws 42-46-6(a):

- a. Overseeing Body** name
- b. Public Body** name
- c. Public Contact Information**

#### **4. Supplemental written public notice**

For the purposes of these rules and regulations the following information is required in addition to the requirements of Rhode Island General Laws 42-46-6(b):

- a. Overseeing Body** name
- b. Public Body** name
- c. Public Contact Information**
- d.** Posting date
- e.** Meeting date
- f.** Meeting time
- g.** Meeting Location

#### **5. Emergency meeting notices**

For the purposes of these rules and regulations the following information is required in addition to the requirements of Rhode Island General Laws 42-46-6(c):

- a. Overseeing Body** name
- b. Public Body** name
- c. Public Contact Information**
- d.** Posting date
- e.** Meeting date
- f.** Meeting time
- g.** Meeting location

#### **Rule 5B. Meeting minutes requirements**

- 1.** All **Public Bodies** as defined by the Rhode Island General Laws 42-46-7 must file meeting minutes in compliance with the **Open Meetings Law**.
- 2.** All **Public Bodies** required under Rhode Island General Law 42-46-7 shall electronically file meeting minutes and all addenda and amendments with the **Secretary of State**.
- 3.** The time frame in which minutes shall be filed will be pursuant to the **Open Meetings Law**.

These filings shall include:

#### **4. Meeting minutes**

For the purposes of these rules and regulations the following information is required in addition to the requirements of Rhode Island General Laws 42-46-7(a):

- a. Overseeing Body** name
- b. Public Body** name
- c. Public Contact Information**
- d.** Meeting date
- e.** Meeting time

## 5. Emergency Meeting minutes

For the purposes of these rules and regulations the following information is required in addition to the requirements of Rhode Island General Laws 42-46-7(a):

- a. **Overseeing Body** name
- b. **Public Body** name
- c. **Public Contact Information**
- d. Meeting date
- e. Meeting time

## Rule 6. Designation of Filing Coordinator

1. The head of each **Overseeing Body** (i.e. director of state agency, city or town mayor or council president where no mayor exists) is responsible for designating a person to be the **Filing Coordinator** for that **Overseeing Body**, who will identify a **Filer(s)** for each **Public Body** that falls under that particular **Overseeing Body**.
2. The **Filing Coordinator** will be responsible for identifying **Filers** for all **Public Bodies**, which fall under each **Overseeing Body**. This **Filing Coordinator** shall serve as a liaison between the **Secretary of State** and each **Filer**.
3. The designation of the official **Filing Coordinator** must be submitted in writing on the "*Open Government Filing Coordinator Designation Form*" issued by the **Secretary of State**. This form must be resubmitted within thirty (30) days of a change in the designation of the **Filing Coordinator**. This form will be available online at the **Secretary of State's** website ([www.state.ri.us](http://www.state.ri.us)). The designation must include the full name, mailing address, phone number and email address for the **Filing Coordinator**. The designation will be complete upon the confirmation of a valid email address by the **Secretary of State**. This information will need to be updated within ten (10) days of a change in email address.
4. The **Filing Coordinator** must provide a complete listing of all **Public Bodies** within the corresponding **Overseeing Body**. The **Filing Coordinator** shall provide the following information for each **Public Body** (which shall be updated within 30 days of a change):
  - a. **Public Body** name
  - b. Public contact name
  - c. Email address of the public contact, if applicable
  - d. Phone number of public contact
  - e. Mailing address of **Public Body**
  - f. Web address of **Public Body**, if applicable
  - g. Authority under which the **Public Body** was created
5. An original of the "*Open Government Filing Coordinator Designation Form*", printed on official letterhead, must be sent by July 9, 2004 and July 1 of every year thereafter, and within thirty (30) days of the creation of an **Overseeing Body**, to the Office of the Secretary of State, Civics and Public Information Division, State House, Room 38, Providence, Rhode Island 02903.
6. In the event that the designation of the **Filing Coordinator** cannot be completed by the July 9, 2004 deadline, a designation of an Interim **Filing Coordinator** will be accepted until the official ratification of **Filing Coordinator** can be completed by the head of the **Overseeing Body**, but a

Filing Coordinator shall be officially designated no later than October 8, 2004. The Secretary of State will provide an interim Filing Coordinator form.

7. It is the responsibility of the **Overseeing Body** to ensure the **Filing Coordinator's** information is up to date and accurate.
8. Upon the creation of a new **Public Body**, it is the responsibility of the **Filing Coordinator** to notify the **Secretary of State** and provide all pertinent contact information. Notification must be done through a form issued by the **Secretary of State**.

#### **Rule 7. Web account setup for Filing Coordinator**

1. Upon receipt of the original "*Open Government Filing Coordinator Designation Form*", the **Secretary of State** will issue to the newly designated **Filing Coordinator** an electronic message containing the username and initial password to enter the system. This initial message will also include detailed instructions on how to set up the **Filing Coordinator's** account and how to establish multiple designations for meeting notice and minutes **Filers**.
2. The **Filing Coordinator** will be responsible for initializing his or her own web account with the **Secretary of State** Open Meetings Website to facilitate the designation of **Filers** for each **Public Body**.

#### **Rule 8. Designation of meeting notice and minutes Filer**

1. Once the **Filing Coordinator** sets up accounts through the Open Meetings Website designating **Filer(s)** for each **Public Body**, the **Secretary of State** will be able to accept the submission of filings in the format provided for in the **Secretary of State** Open Meetings Website.
2. The **Filing Coordinator** must provide information for each **Public Body** (Rule 6.4) and its **Filers**. It is the responsibility of the **Filing Coordinator** to ensure that **Filers'** user information is up to date and accurate.
3. Upon the creation of a new **Public Body**, it is the responsibility of the **Filing Coordinator** for the corresponding **Overseeing Body** to identify a **Filer** through the **Secretary of State** Open Meetings Website and provide contact information for that person within thirty (30) days. The Filing Coordinator shall update the **Filer** information in the event there is a change in the **Filer**.

#### **Rule 9. Filing format**

Meeting notices and minutes must be filed in Portable Document Format (PDF) through the **Secretary of State** Open Meetings Website or as text submitted as provided for in the **Secretary of State** Open Meetings Website. Only file formats and mechanisms of electronic submission specified by these Rules and Regulations and the **Secretary of State** Open Meetings Website will be accepted.

#### **Rule 10. Technical requirements**

1. Designated **Filers** must have access to email and be able to access the **Secretary of State** Open Meetings Website through a web browser. In order to comply with the filing format, the **Filer** must have the ability to submit notices and minutes in the specified filing format through the **Secretary of State** Open Meetings Website.
2. The **Filer** must fill out all electronic fields as provided in the **Secretary of State** Open Meetings Website in order to submit meeting notices or meeting minutes to the Secretary of State electronically.

3. The **Filing Coordinator** shall provide the information required by Rule 6.4 for each **Public Body** in an electronic format indicated by the **Secretary of State**.

**Rule 11. Accepting filings**

The **Secretary of State** will start accepting the electronic filing of meeting notices and minutes beginning on July 17, 2004. All filings must comply with procedures established by the **Secretary of State** Open Meetings Website.

**Rule 12. Proof of filing**

Upon the successful electronic submission of a meeting notice or meeting minutes, the **Filer** will receive acknowledgement in the form of an electronic confirmation message from the **Secretary of State** indicating that the filing was successfully transmitted through the **Secretary of State** Open Meetings Website. In the absence of such electronic confirmation message, it is the responsibility of the **Filer** to verify that the **Secretary of State** has successfully received the notice or minutes. The electronic confirmation message is the **Filer's** record that the notice or minutes were filed with the **Secretary of State**.

**Rule 13. Exceptions**

All **Public Bodies**, with the exception of municipalities and **Public Bodies** whose responsibilities are solely advisory in nature, shall file meeting minutes with the **Secretary of State** electronically.

**Rule 14. Severability**

If any provision of these Rules and Regulations, or the application thereof to any person or circumstance, is held invalid by a court of competent jurisdiction, the validity of the remainder of these Rules and Regulations shall not be affected thereby.

### **Rule 15. Effective Date**

These Rules and Regulations shall take effect twenty (20) days after filing with the **Secretary of State**.

The foregoing Rules and Regulations - "Electronic Filing of Meeting Minutes and Notices – Open Meetings", after due notice, are hereby adopted and filed with the **Secretary of State** on this 25<sup>h</sup> day of June, 2004 to become effective twenty (20) days thereafter, in accordance with the **Open Meetings Law**.

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Matthew A. Brown  
Secretary of State

Notice Given on: May 17, 2004  
Public Hearing held: May 26, 2004  
Filing Date: June 25, 2004  
Effective Date: July 17, 2004